

ONE CHANCE FOR LIFE.

Judge Ewing Gives Child-Murderer Gerade Another Trial.

SOME DOUBT AS TO HIS SANITY.

The Court Dislikes to Pass the Death Sentence on the Man.

DISCUSSING HIS MENTAL CONDITION

Judge Ewing yesterday handed down an opinion granting a new trial to Frank Gerade, who had been convicted of murder in the first degree for the killing of his step-daughter. Nearly three years ago Gerade killed the child, whom he disliked, by picking her up by the feet and dashing her brains out against a cradle.

His counsel made insanity the defense. A jury first passed on the question of his sanity and found him sane. He was then tried and convicted of murder in the first degree. The Supreme Court granted a new trial on the error in the Judge's charge. A second time he was convicted of murder in the first degree before Judge Ewing.

Gerade's Mental Health Was Poor. "The charge shows the fact that the weight or preponderance of evidence was in favor of the defendant on that point, or at least that his mental condition was such as to prevent deliberation and premeditation and thus reduce the degree. It was a question for the jury—shall the finding be set aside?"

Continuing, Judge Ewing reviewed the former proceedings in the case, and said: "On hearing of the motion for a new trial, Judge Sledge, who presided at the first trial, Judge Magee, who presided at the second trial, and Judge McClung, who heard a considerable part of the last trial, all sat with me. On consultation each of them says that he would not grant a new trial, but in this case where the life of the prisoner is in question the Judge who presided at the trial must take the responsibility of granting or refusing a new trial, and he should be satisfied of the legal guilt of the prisoner before passing sentence." Judge Ewing then referred to the law on insanity which places the burden of proof as to insanity at the time of the killing on the defendant.

The Test Not Thorough Enough. He added: "The physicians who testified as to the insanity of the prisoner either did not make a thorough test as to whether or not the prisoner was feigning as they might have done, or they did not deem it prudent to inform the Court and jury thereof. Yet it seems impossible that a man of the prisoner's previous intelligence and occupation should be shamming the symptoms of acute or primary dementia, which they say he had, or be able to deceive so frequently and for so long a period, physicians of the experience and skill of Drs. Chessman, McCord, Wylie and Ayres and also the keepers of the prison, accustomed to seeing the actually insane and those feigning insanity to escape punishment for crime."

Believes the Prisoner Was Insane. This impression, the Court said, was greatly strengthened on reading authorities on the subject. He reviewed a number of treatises on the subject. In conclusion he said his belief was that the preponderance of testimony was that the defendant was insane. Had he the power he would sentence him to imprisonment for life, but he was not willing, with his opinion as to the facts, to sentence him to death. A concluding sentence said that this opinion was written over nine months ago, and after a full consideration, he had been unable to come to a different conclusion. A new trial would therefore be granted.

Are You Yellow? If so, of course you are bilious, which also implies that you have a dull pain and tenderness in the right side, nausea, sick headache, furrowed tongue, sour breath and indigestion. Hostetter's Stomach Bitters is what you want. Prompt relief follows its use in liver complaint, dyspepsia, constipation, malaria, rheumatism, kidney trouble and nervousness. Physicians unqualifiedly recommend it.

REAL ESTATE SAVINGS BANK, LIM. 601 Smithfield Street, Cor. Fourth Avenue. Capital, \$100,000. Surplus, \$75,000. Deposits of \$1 and upward received and interest allowed at 4 per cent.

Don't Take the Risk Of fire or thieves, but keep your valuable papers, bonds, etc., in the safe deposit vaults of the Farmers' Deposit National Bank, 66 Fourth Avenue. Boxes rented at \$3 a year and upward.

Fall and Winter Wraps. Elegant new stock of fur-trimmed sacques, diagonal cloths, wraps, reefer, plush sacques, fur capes, embroidered furs and children's wraps, at H. J. Lynch's, 433-440 Market Street.

DEWITT'S Little Early Risers. No gripping or pain, no nausea; easy pill to take.

STIEREN'S Optical Catalogues. Part B—Optical Meteorological and Electrical Instruments. Part C—Magic Lanterns, Slides and Accessories. Part D—Photographic and Surveying Instruments. Free on application.

LATE NEWS IN BRIEF.

The Carman strikers have decided to continue the strike. Steerage traffic to Hamburg will be resumed on November 1.

Reports that the Pine Ridge Indians are preparing for an outbreak are denied. Alfred Swift, aged 16, attempted suicide by shooting himself in a churchyard at Borden town, N. J.

The Rodrigue brothers, who stole the royal yacht of the King of Tuluca, have been benighted at Denver this week.

Miss Willard and Lady Somerset will be in attendance at the National W. C. T. U. meeting at Denver this week.

It is reported that a bookkeeper of the Deutsche Bank, at Berlin, has been arrested on the charge of embezzling \$25,000.

The twenty-fifth annual convention of the Railway Conductors' Life Insurance Association of America will be called to order in San Antonio to-day.

Crampton, the leader of a murderous gang of burglars that some time ago terrorized Paris, has been sentenced to death, and other members of the gang have been sentenced to long terms of imprisonment.

Lord Houghton, Viceroy of Ireland, has refused to receive an address which the Irish Methodists wished to present to him. He bases his refusal on the ground that the address contains political references.

The Parisian Municipal Council has voted a credit of \$200,000 francs to enable an advance to be made in the wages and status of the city employees, such as street sweepers, sewer men, etc., whose wages are under 5 francs per day.

The United States steamship Newark has sailed from Gibraltar for Genoa for the purpose of allowing the seamen to testify at the trial of the restaurant keeper who on September 9 stabbed and killed Frank Kelly, one of the crew.

The Fenians Mullen and Dowling are about to be released. Mullen was convicted of complicity in the murders of Lord Frederick Cavendish, Chief Secretary for Ireland, and Mr. Burke, Under Secretary, in Phoenix Park, Dublin, on May 8, 1882. Dowling was convicted of the killing of a policeman named Cox.

GET rid of one cold before you contract another on top of it, or you may securely establish the seeds of a serious lung complaint before you are conscious of danger. Better prudently resort to Dr. D. Jayne's Expecto-rant, an effective cure for coughs and colds, and helpful also for its healing influence on the lungs and bronchial tubes.

Oculist Prescriptions Made at Shortest Notice.

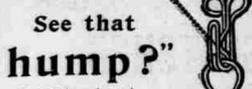


Eyes Correctly Fitted. J. DIAMOND, OPTICIAN, 22 SIXTH ST., PITTSBURGH. Artificial eyes inserted. oc15-trsu

NEW ADVERTISEMENTS.

O Woman, Woman, do not wait until eternally too late, and Gabriel blows his latest trump, to ask you "Did you

See that hump?"



The De Long Patent Hook and Eye.

Rheumacura SURE CURE FOR RHEUMATISM GOUT & LUMBAGO. EAST AUBURN, N. Y., October 13, 1892. McKinnie & Chessman M'FG Co., Pittsburgh, Pa.—Gentlemen: My wife, Mrs. Allen Aldrich, of East Aurora, Erie Co., N. Y., was laid up with Inflammatory Rheumatism, so badly that she had to be moved only on a sheet. When she began to take Rheumacura she was benefited from the first dose and at the end of the first bottle she was able to sit up in bed and help herself, something she had not been able to do for six weeks before.

Now after taking eight bottles she is perfectly well and has not had any Rheumatic pains. Both she and myself feel that we can do no more than add our testimonials to the merits of Rheumacura and recommend it to any sufferers of Inflammatory Rheumatism. Yours very truly, ALLAN ALDRICH. Price \$3.00 per bottle. For sale by all druggists. MCKINNIE & CHESSMAN M'FG CO., 616 Penn Ave., Pittsburgh, Pa. Send your name and address and we will mail free pamphlet of testimonials. oc24

NEW ADVERTISEMENTS.

PURE WHISKY, When rightly used, is a safe stimulant and tonic. Three factors are absolutely essential to the production of PURE WHISKY.

Choice grain, pure water and skilled knowledge. These, and these only, are represented in our OLD EXPORT WHISKY.

Besides, our Old Export is always old enough to possess a pleasant taste, therefore not offending the palate or stomach. Old Export is free from fusel oil, which is poisonous in its nature, and a source of irritation to the mucous membrane. In fact, there is no better WHISKY Sold in Pittsburgh. Sold only by JOS. FLEMING & SON, 412 MARKET ST., COR. DIAMOND. FULL QUARTS, \$1 EACH, OR 6 FOR \$5. oc25-trsu

THE GREATEST OF THE AGE. WEAR NO OTHER. Special lenses ground on the premises. CHESSMAN OPTICAL COMPANY, 49 Federal Street, Allegheny, Pa. ARTIFICIAL EYES INSERTED. See Exhibit in Exposition Building. sell-trsu

TAILORING. Correct Fall Suitings and Overcoatings. H. & C. F. AHLERS, Merchants Tailors, 429 Smithfield St. TR26

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AMUSEMENTS.

THE ALVIN THEATER. CHARLES L. DAVIS, Owner and Manager. To-night, Wednesday and Saturday matinee, the latest droll conceits by "Sidney Rosenfeld," entitled,

IMAGINATION. Next week—"Lilac Jennie." oc24-41

DUQUESNE, PITTSBURGH'S LEADING THEATER. JOHN MASON—MARION MAXWELL. THE MASON-MANOLA COMPANY. To-night and every evening except Saturday Delightful "It I Were You. Double Bill, "The Army Surgeon. Wed. Matinee "Caste." Sat. Evening "Caste." Wed. Mat. Best Seats 50c. Saturday Mat. Double Bill. Next week—"Dartmouth." oc25-78

GRAND OPERA HOUSE. TO-NIGHT. The Boston Howard Athenaeum Specialty Co. Prices 15, 25, 50 and 75c—Matinees—Wednesday and Saturday—25 and 50c Reserved. Next week—Lillian Lewis "LADY LIL." oc25-78

J. WHITCOMB RILEY, ALPINE QUARTET, To-night at CARNEGIE HALL, ALLEGHENY. Seats on sale at Mellor & Hoene's, Fifth Avenue, and Alex Ross, 143 Federal Street. oc25-56

HARRIS' THEATER—MRS. P. HARRIS, R. L. BRITTON, T. F. DEAN, Proprietors and Managers. Every afternoon and evening. The Musical Comedy, "TWO OLD CRONES." Week Oct. 31—"One of the Finest." oc25-105-775

HARRY DAVIS' EDEN MUSEE—"MARQUIS," the Beautiful Stallion, "DOMINGO," the Indian Albino Child, and a great stage show. Admission, 10 cents. oc24-46

HARRY WILLIAMS' ACADEMY—To-night, Matinees Tuesday, Thursday and Saturday. THE SOUTH BEFORE THE WAR. Fifty people on the stage. A carload of special scenery. oc24-12

CHOICE FLOWERS, LOW PRICE—AT BEN L. ELLIOTT'S, Telephone 1834, 38 Fifth Ave., ap13-775 Between Wood and Market.

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NEW ADVERTISEMENTS.

SPECIAL MESSAGE TO WEARERS OF SHOES AND SLIPPERS.

Hundreds of new and novel ideas appealing to good sense and taste. Our low prices give birth to surprise in each department.



Ladies' and Gents' Slippers, AT 75c, \$1.00, \$1.25, \$1.50.

LADIES' FINE OXFORDS, AT 75c, \$1.00, \$1.25, \$1.50.

LAIRD'S CASH STORES, 433 and 435 Wood St. Wholesale and Retail. 406, 408, 410 Market St. oc25-trsu

GREAT AUTUMN DRESS RECEPTIONS

A ROUSING, RINGING INVITATION EXTENDED TO EVERY LADY TO ATTEND.

WEDNESDAY, THURSDAY AND FRIDAY

Will be three Grand Gala Days in

KAUFMANN'S

CLOAK, SUIT AND MILLINERY PARLORS.

Fashion Artists and Originators the world over are contributors to the International Exhibition of styles which will grace our salesrooms during three Autumn Dress Reception Days. Mr. Morris Kaufmann, who has just returned from an extended ransacking tour among the fashion centers of the Old World, dived deep into the sea of exclusive and select novelties produced for this Fall and Winter, and the result appears in this special Autumn Dress Reception we ask you to attend.

The models exhibited represent BARBLET, the favorite of the Austrian and Russian Courts; ERNST RAUDNITZ, popular in Republican Court for American women patronize him largely; FELIX, the Prince of Dressmakers; MADAME DUSUZEAU, at whose command the costumes of the first Empire are regnant again; MADAME DELTROPTRE, whose few productions are to dressmaking as orchids are to flowers; PAQUIN, who at present is all the rage in Paris, the revivalist of the styles of the restoration in 1830; GILLES, the artist of exquisitely embroidered wraps. Besides these there are costumes from ROUF, SARA MAYER, AUGUSTIN MARTIN and E. PASQUIEN; Wraps from MANNOT, ABEL and ULLIAC; Furs from REVILLION. The following are the most noteworthy of the styles shown:

- JACKETS: The Watteau, The Russian, The Dolgoruki, The Reefer, The Tight-Fitting, The English Box, The Triple Cape, The Lady Franklin, The Strap Seam. DRESSES: The Eton, The Marlowe, The Reefer, The Russian, The Dolgoruki, The Moujik, The Bolero, The Toledador, The Postillion. CAPES: The Footman, The Coachman, The Ukraine, The Muscovite, The Hussar, The Houghgate, The Isabella, The Military, The Dunlacie.

THE MILLINERY EXHIBIT.

Is equally interesting and important. The great Paris Milliners: Julia, Linn Faulkner, Virot, Heitz Boyer, Pontzar, Pouyenne Josse, Suzanne Arot, Vimont, Virot and Berthe, Caspart, Michniewicz Turee, are represented; also hundreds of original conceits from our own milliners.



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